

REMARKS

The present Response is submitted in reply to the Official Action of July 11, 2007.

The Examiner objects to the oath and declaration as not being in the required form and, in response, the Applicant respectfully requests that the Examiner reconsider and withdraw the requirement to file a new oath or declaration. In particular, it is noted that the Declaration on file does, in fact, state the "duty to disclose information known to be material to patentability of this application in accordance with Title 37, Code of Federal Regulation § 1.56(a)"--see attached copy thereof. Thus, it is respectfully submitted that Declaration on file is not defective and does comply with the necessary requirement so that a new oath or declaration is not necessary.

Next, paragraphs [011] and [043] of the specification are objected to and, in response, paragraphs [011] and [043] are amended to address and overcome the stated grounds for rejection. In addition, the Applicant has also noted that the word "soldier" is misspelled in paragraph [011], and such misspelling is corrected by the above amendment to paragraph [011].

The Examiner also objects to paragraph [020] of the specification because of the term "hydrophilic" in reference to materials that, in the remainder of paragraph [020] and in other portions of the specification, are clearly described as hydrophobic materials. In response, therefore, the paragraph is clarified and revised to overcome the noted objection. It is respectfully submitted that no new matter is entered by the same.

Lastly, with respect to the objection to the specification as not providing antecedent basis for the subject matter recited in claims 51 and 52, in order to expedite prosecution of the present Application, those two claims are canceled, thereby rendering this issue moot.

It will be noted that the above discussed amendments to the specification are fully supported by the specification, the drawings and the claims, as originally filed, and that the amendments do not add any new matter to the invention, the specification and the drawings or the

claims. The Applicant accordingly respectfully requests that the Examiner reconsider and withdraw the objections to the specification.

The Applicant also notes that the Examiner has expressed several grounds for objection to the claims and, in response, has addressed these grounds for objection where necessary in the following discussed amendments to the claims in response to the rejections of the claims under 35 U.S.C. § 103. It will be noted that these amendments to the claims are fully supported by the specification, drawings and claims as originally filed and that the amendments do not add any new matter to or alter the scope of subject matter of the invention, the specification and drawings or the claims. The Applicant accordingly respectfully requests that the Examiner reconsider and withdraw the stated objections to the claims.

Therefore next considering the rejections of the claims over the cited prior art, namely, the rejection of :

(a) claims 37-42, 44, 53-55, 58, 60-62, 65-67 and 69-71, under 35 U.S.C. § 103(a), as being unpatentable over Williams '387 in view of Pacanowsky et al. '447,

(b) claims 48, 50 and 51, under 35 U.S.C. § 103(a), over Williams '387 in view of Pacanowsky et al. '447 and in further view of Tremblay-Lutter et al. '936,

(c) claims 49 and 52, under 35 U.S.C. § 103(a), over Williams '387 in view of Pacanowsky et al. '447, in further view of Tremblay-Lutter et al. '936 and in further view of von Blucher '418,

(d) claims 37, 43, 45-47, 59, 64 and 68, under 35 U.S.C. § 103(a), over Pacanowsky et al. '447 in view of Williams '387,

(e) claims 56 and 57, under 35 U.S.C. § 103, over Williams '387 in view of Pacanowsky et al. '447 and in further view of von Blucher '418, and

(f) claim 63, under 35 U.S.C. § 103(a), over Pacanowsky et al. '447 in view of Williams '387 and in further view of Woodson et al. '791.

The Applicant acknowledges and respectfully traverses all of the raised obviousness rejections in view of the above amendments and the following remarks.

First considering the present invention as recited in the claims, it will be noted that the claims are amended herein above to more explicitly recite the distinctions between the present invention and the cited prior art. In particular, it will be noted that claim 37 is amended by the incorporating the limitations of dependent claims 38, 39, 40, 43, 67 and 68 into claim 37. It will also be noted that the limitations of claims 37, 44 and 48, the limitations of claims 37 and 47, and the limitations of claims 37, 56 and 57 are each combined with one another as independent claims which contain the limitations of their respective base claims and intervening claims. It will be noted, however, that these amendments to the claims are fully supported by the specification, the drawings and the claims, as originally filed, and that the amendments do not add any new matter to the invention, the specification and the drawings or the claims

Now considering the present invention as generally recited in independent claims 37, 47, 48 and 57, the present invention is directed to a lower leg protective apparel, that is, a sock, for providing protection from chemical or biological noxiants. The lower leg apparel comprises an outersock (1), an inner textile ply (9) and a laminate (2) disposed between the outersock (1) and the inner textile ply (9). The laminate (2) comprises a flexible, windproof, breathable, water-rejecting membrane (7) which forms the surface of the laminate (2) toward the outersock (1) and provides a barrier to the noxiants and a fibrous carbon layer (8) disposed between the laminate and the inner textile ply (9).

The construction also typically includes an innersock (3) disposed as a second textile ply on an inner side of the laminate (2) and either, or both of, the outersock (1) and the innersock (3) will be fabricated from a plurality of cuts (4, 5, 6) wherein the seams between the cuts (4, 5, 6) are sealed by a waterproof material, such as a seam-sealing tape. The outersock (1), the laminate (2)

and the innersock (3), if present, will be bonded into a single unit by any of a variety of methods, including adhesives and stitching.

Turning now to the applied prior art, Williams `387 relates to protective garments such as socks and gloves made with a three ply construction that includes an inner sock and an outer sock of knitted fabric bonded by an adhesive to a middle layer comprising a pliant bladder made of an elastomeric material, such as polyurethane, with activated carbon micro-spheres bonded to the bladder by an adhesive.

It must be noted that there is some confusion in Williams `387 regarding the structure of the bladder/carbon layer because the figures show a construction comprising a single membrane layer of elastomeric material with the carbon micro-spheres bonded to one side of the membrane, specifically the side of the membrane toward the inner sock, which is in conformance with the description in the Summary of the Invention and the claims. The Description of the Invention, however, describes the three ply construction when referring to the figures, but describes a four ply construction when describing the methods for constructing the socks and gloves. More specifically, the description of the method for manufacture of the bladder layer states that the bladder layer actually comprises two membrane layers, each comprising a membrane having carbon micro-spheres bonded to one side, with the two membrane layers being bonded together with the carbon micro-sphere coatings in face-to-face arrangement so that the carbon micro-sphere coatings are between the two membrane layers.

In brief, therefore, Williams `387 essentially describes a material for use in gloves and socks wherein the material comprises a three layer construction wherein outer and inner layers of fabric are bonded to a middle layer comprising a membrane having a carbon micro-sphere coating on one side or a four layer construction wherein the middle layer comprises two membrane layers wherein each membrane layer comprises a membrane having a carbon micro-sphere coating on one side

and wherein the two membrane layers are bonded together with the carbon micro-sphere coatings in face-to-face arrangement.

It must therefore be noted that there are fundamental differences between the Williams '387 constructions and the constructions of the present invention. For example, the three and four ply constructions taught by Williams '387 all employ carbon micro-sphere coatings bonded to one side of the membrane or membranes while the construction of the present invention employs a carbon fiber fabric bonded to the membrane, so that the construction of the present invention is both easier to manufacture than that taught by Williams '387--by not requiring the application and bonding of particulate carbon to the membrane--and stronger than the Williams '387 construction because the carbon fiber materials are inherently stronger than particles bonded to a surface by an adhesive.

A fundamental difference, as described above at least one of the Williams '387 constructions is a four ply assembly wherein the bladder layer comprises two membrane/carbon micro-sphere layers bonded together with the carbon micro-sphere coatings in face-to-face arrangement. In fundamental contrast from this embodiment of the Williams '387 construction, the present invention requires only a single carbon layer that comprises a carbon fiber fabric bonded to a membrane.

A further distinction between the Williams '387 construction and the present invention is that all of the implementations of the Williams '387 construction have only a single fabric layer on the inner side of the sock or glove. In contrast, the construction of the present invention includes both an inner textile ply bonded onto the inner side of the laminate and an innersock, thereby providing additional strength and protection to the construction and allowing the use of a hydrophilic material for the innersock to assist in disposing of moisture within the sock.

In a yet another fundamental difference between the present invention and the teachings of Williams '387, and as recited in the amended claims, the either or both of the outersock and the innersock, of the present invention, comprises a plurality of cuts and the seams between the

cuts (4, 5, 6) are sealed by a waterproof material, such as a seam-sealing tape. In contrast, none of the three or four plies of the Williams '387 construction comprise cuts but are instead apparently formed as single pieces having a single peripheral seam and Williams '387 appears to rely on the adhesive bonding of each ply to the next to perform any required sealing of that single seam. The construction of the present invention as sewn together cuts therefore not only provides better conformance to the contours of a foot or hand than can be achieved by the "tube sock" construction taught by Williams '387, but specifically provides a means for sealing the seams between the cuts, which is a problem in this type of garment that Williams '387 does not even address.

It is, therefore, the belief and position of the Application that the present invention, as recited in the amended claims, is patentably distinguished over and from the teachings of Williams '387 under the requirements and provisions of 35 U.S.C. § 102 and/or 35 U.S.C. § 103.

Next considering the teachings of Pacanowsky et al. '447, this reference relates to a waterproof breathable sock comprising waterproof, non-elastic, non-stretch sole and calf components and a vamp component comprising a waterproof, breathable, elastic, breathable material with all seams being sealed with a waterproof material.

It is, therefore, apparent that there are a number of fundamental differences between the present invention as the teachings of Pacanowsky et al. '447. For example, different components of the Pacanowsky et al. '447 sock are made of different materials having different properties. More specifically, the sole and the calf components are non-elastic and non-stretchable while the vamp component is elastic and stretchable, all of which is necessary for the desired functioning of the Pacanowsky et al. '447 sock, which is a generally non-elastic, non-stretchable sock that is easier to put on and take off due to the elastic, stretchable design. In contrast, all components and portions of a sock of the present invention comprise the same material, that is, an outersock, a laminate, an inner textile ply and an innersock, which is flexible and elastic, and this uniformity of material throughout the entire construction is necessary and essential for the desired functioning of

the sock, which is that all parts of the sock should prevent the passage of noxiants while still being conformable to a foot.

It is therefore apparent that, because of these fundamental differences in the constructions of the socks arising from the very fundamental differences in the desired properties of the two sock, the teachings of Pacanowsky et al. '447 are not relevant to and have minimal application in the present invention with the sole possible exception of the sealing of the seams by a waterproof material.

It is, therefore, the belief and position of the Application that the present invention, as recited in the amended claims, is patentably distinguished over and from the teachings of Pacanowsky et al. '447 under the requirements and provisions of 35 U.S.C. § 102 and/or 35 U.S.C. § 103.

Turning now to the combination of Williams '387 in view of Pacanowsky et al. '447, it is apparent that it would not occur to one of ordinary skill in the arts to combine Pacanowsky et al. '447 with Williams '387 and, in any event, the combination of Pacanowsky et al. '447 with Williams '387 would not result in a workable combination for the same reasons that Pacanowsky et al. '447 is not relevant to the present invention. That is, Pacanowsky et al. '447 is directed to a generally non-elastic, non-stretchable waterproof sock that is easier to put on and take off, thus requiring a sock made of different types of materials, that is, a generally non-elastic, non-stretchable material for some parts of the sock and an elastic, stretchable material for other parts of the sock. In contrast, the intended purposes of the Williams '387 sock, the exclusion of noxiants by all parts of the sock, requires that the sock be made completely from one type of material. The combination of either into the construction required of the other would, therefore, result in a combination that would not meet the intended purposes or requirements of the other.

As discussed above, the sole possible exception to the non-combinability of Williams '387 and Pacanowsky et al. '447 and the non-relevance of Pacanowsky et al. '447 in general to the

present invention could be the use of a waterproof material in Pacanowsky et al. '447 to seal the seams between the parts of the sock.

The present invention, however, remains fundamentally distinguished over and from either Williams '387 or Pacanowsky et al. '447 as well as the combination of Williams '387 in view of Pacanowsky et al. '447 under the requirements and provisions of 35 U.S.C. § 102 and 35 U.S.C. § 103 for the reasons discussed above with respect to both Williams '387 and Pacanowsky et al. '447. The Applicant therefore respectfully requests that the Examiner reconsider and withdraw all rejections of the claims, as amended herein above, in view of Williams '387 and/or Pacanowsky et al. '447, either taken individually or in combination with one another.

Next considering the rejection of claims over Williams '387 in view of Pacanowsky et al. '447 and in further view of Tremblay-Lutter et al. '936, the distinctions of the present invention, as recited in the amended claims, over Williams '387 and Pacanowsky et al. '447 and Williams '387 in view of Pacanowsky et al. '447 was discussed above and will, therefore, not be repeated in detail in the following.

Turning now to the teachings of Tremblay-Lutter et al. '936, and then the combination of Williams '387 in view of Pacanowsky et al. '447 and in further view of Tremblay-Lutter et al. '936, Tremblay-Lutter et al. '936 relates to a protective garment, such as a jacket or pants, made of a single layer of a thin, stretchable carbon fiber material. The garment is specifically intended to be worn next to the skin, under other clothing, and to eliminate all air gaps or spaces between the garment and the skin of the wearer, thereby providing superior protection.

It is, therefore, apparent that there are a number of fundamental distinctions between the present invention and the teachings of Tremblay-Lutter et al. '936. For example, although Tremblay-Lutter et al. '936 suggests the use of a carbon fiber fabric, Tremblay-Lutter et al. '936 explicitly teaches that multi-layer fabrics are undesirable for a number of reasons, including that they are not wearable under other garments such as other protective garments, are undesirable in heat

stress conditions, and allow air spaces between the garments and the wearer, which reduces their protective capabilities by allowing noxiants to seep past the material and gather in the air gaps between the protective garment and the wearer. Tremblay-Lutter et al. '936 is, in fact, insistent that the garment be made of a single layer of the stretchable carbon fiber material and that no form of multi-layer garment is satisfactory.

Other than suggesting the use of a carbon fiber baric as a noxiant protective material, Tremblay-Lutter et al. '936 is completely irrelevant to the present invention and, in fact, it is respectfully submitted teaches directly away from and contrary to the present invention by insisting that the garment comprise only a single layer of the carbon fiber material and teaches that the use of only a single layer of material is essential to the purposes of the Tremblay-Lutter et al. '936 garment. In fundamental contrast from Tremblay-Lutter et al. '936, the present invention is specifically directed to and teaches the use of multi-layer materials to construct protective garments and explicitly recites such multi-layer materials in the amended claims.

It is respectfully submitted that the teachings of Tremblay-Lutter et al. '936 are likewise not properly combinable with Williams '387 because Williams '387 not only teaches a completely different type of carbon material--that is, a membrane coated with carbon micro-spheres rather than a carbon fiber fabric--but explicitly requires the use of a multi-layer material. Tremblay-Lutter et al. '936 thereby teaches directly away from and is contrary to Williams '387. The teachings of Tremblay-Lutter et al. '936 and Williams '387 cannot be properly combined because they are mutually contradictory and, for the same reasons, it would not be obvious to one of skill in the arts to combine the teachings of Tremblay-Lutter et al. '936 with those of Williams '387.

It is respectfully submitted that the teachings of Tremblay-Lutter et al. '936 are likewise not properly combinable with Pacanowsky et al. '447 because Pacanowsky et al. '447 requires the use of two different types of material, a non-elastic, non-stretchable material and an elastic, stretchable material because Pacanowsky et al. '447 is based upon the results obtained by combining the two

different types of material. Tremblay-Lutter et al. '936, however, requires the use of only a single type of material, that is, a material comprising a single layer of elastic carbon fiber fabric, in order to achieve the desired results.

In addition, Tremblay-Lutter et al. '936 requires the use of a carbon fiber fabric and explicitly requires the use of a carbon fiber fabric. Pacanowsky et al. '447, however, not only does not even mention carbon based materials, but such materials are immaterial to the intentions and purposes of Pacanowsky et al. '447 so that there would be no purpose or benefit of combining the teachings of Pacanowsky et al. '447 and Tremblay-Lutter et al. '936. In fact, the characteristics required of the material required by Tremblay-Lutter et al. '936 and the characteristics of the material required by Pacanowsky et al. '447 are so fundamentally different that it would be impossible to achieve the desired results of either of the teachings if the material in either teaching were replaced by the material from the other, so that the combination of the two teachings is effectively impossible.

It is respectfully submitted that the teachings of Tremblay-Lutter et al. '936 and Pacanowsky et al. '447, therefore, cannot be properly combined because they are mutually contradictory and, for the same reasons, it would not be obvious to one of skill in the arts to combine the teachings of Tremblay-Lutter et al. '936 with those of Pacanowsky et al. '447.

The present invention, as recited in the amended claims, is thereby fundamentally distinguished over and from Williams '387 or Pacanowsky et al. '447 or Tremblay-Lutter et al. '936 as well as the combinations of Williams '387, Pacanowsky et al. '447 and/or Tremblay-Lutter et al. '936 under the requirements and provisions of 35 U.S.C. § 102 and/or 35 U.S.C. § 103 for the reasons discussed above with respect to Williams '387, Pacanowsky et al. '447 and Tremblay-Lutter et al. '936 and the combinations thereof. The Applicant therefore respectfully requests that the Examiner reconsider and withdraw all rejections of the claims, as amended herein above, with respect to Williams '387,

Pacanowsky et al. '447 and/or Tremblay-Lutter et al. '936, either taken individually or in a permissible combination.

Next considering the rejections of claims under 35 U.S.C. § 103 over Williams '387 in view of Pacanowsky et al. '447, in further view of Tremblay-Lutter et al. '936 and in further view of von Blucher '418, the distinctions of the present invention over Williams '387, Pacanowsky et al. '447 and Tremblay-Lutter et al. '936 were discussed above and will, therefore, not be discussed again in detail in the following.

Therefore considering the distinctions between the present invention, as recited in the amended claims, and the teachings of von Blucher '418 and the combinations of Williams '387, Pacanowsky et al. '447, Tremblay-Lutter et al. '936 and von Blucher '418, von Blucher '418 relates to protective handwear, e.g., a glove, comprising a multi-layer material including, from the outer side to the inner side, one or two fabric support layers (3, 8), a membrane layer (6), an adsorption layer (5) of activated carbon fiber, and an inner cover layer (9) with the layers being bonded together by adhesive. According to von Blucher '418, the individual layers may be jointed by stitching or adhesives but preferably should be seamlessly joined, such as by adhesive or heat sealing and, if there are seams, the seams should be sealed with seam sealing tape.

It may, therefore, be seen that, with the exceptions of using a carbon fiber adsorption layer--instead of a carbon particle layer--the addition of a second fabric layer between the outer fabric layer and the membrane, and teaching that any seams should be sealed with a sealing tape, the teachings of von Blucher '418 are very similar to those of Williams '387. It is also apparent that the present invention, as recited in the amended claims, is likewise distinguished over and from von Blucher '418 for many of the same reasons that it is distinguished over and from Williams '387.

For example, and like Williams '387, all of the implementations of the von Blucher '418 construction have only a single fabric layer on the inner side of the sock or the glove. In contrast, the construction of the present invention includes both an inner textile ply bonded onto the inner side

of the laminate and an innersock, thereby providing additional strength and protection to the construction and allowing the use of a hydrophilic material for the innersock to assist with disposing of moisture within the sock.

In a yet further fundamental difference between the present invention and the teachings of von Blucher `418, and again like Williams `387, the present invention claims either, or both of, the outersock and the innersock of the present invention comprises a plurality of cuts and the seams between the cuts (4, 5, 6) are sealed by a waterproof material, such as a seam-sealing tape. In contrast, and again like Williams `387, von Blucher `418 explicitly teaches that the individual layers should preferably not comprise cuts but should instead be formed as single, unitary pieces having, for example, a single peripheral seam and relying on the adhesive bonding of each ply to the next to perform any required sealing of that single seam. The construction of the present invention has sewn together cuts, therefore, not only provides better conformance to the contours of a foot or hand than can be achieved by the "tube sock" construction taught by Williams `387, but specifically provides a means for sealing the seams between the cuts, which is a problem in this type of garment that Williams `387 does not even address.

It is, therefore, the belief and position of the Application that the present invention as recited in the amended claims is patentably distinguished over and from the teachings of von Blucher `418 under the requirements and provisions of 35 U.S.C. § 102 and/or 35 U.S.C. § 103.

It is, therefore, apparent from the above discussion of von Blucher `418 and the previous discussions of Williams `387, Pacanowsky et al. `447 and Tremblay-Lutter et al. `936 that von Blucher `418 actually adds nothing to the teachings of Williams `387, Pacanowsky et al. `447 and Tremblay-Lutter et al. `936. The present invention is, therefore, patently distinguished over the combinations of Williams `387, Pacanowsky et al. `447, Tremblay-Lutter et al. `936 and von Blucher `418 under the requirements of 35 U.S.C. § 103 for the same reasons, discussed above,

that the present invention is patentably distinguished over the combinations of Williams `387, Pacanowsky et al. `447 and Tremblay-Lutter et al. `936 under the requirements of 35 U.S.C. § 103.

The Applicant therefore respectfully requests that the Examiner reconsider the withdraw all rejections of the claims, under 35 U.S.C. § 103, over Williams `387, Pacanowsky et al. `447, Tremblay-Lutter et al. `936 and/or von Blucher `418 as well as all permissible combinations of Williams `387, Pacanowsky et al. `447, Tremblay-Lutter et al. `936 and/or von Blucher `418.

Next, considering the rejections of claims, under 35 U.S.C. § 103, over Pacanowsky et al. `447 in view of Williams `387 and Pacanowsky et al. `447 and in further view of von Blucher `418, these references, and the combinations of these references, were discussed in detail herein above and it is respectfully submitted that the present invention, as recited in the amended claims, are fully and patentaly distinguished over and from Williams `387, Pacanowsky et al. `447, Tremblay-Lutter et al. `936 and/or von Blucher `418 as well as all permissible combinations thereof under the requirements of 35 U.S.C. § 103 for the reasons discussed above. The Applicant therefore respectfully requests that the Examiner reconsider and withdraw the rejections of claims, under 35 U.S.C. § 103, over Pacanowsky et al. `447, Williams `387, Pacanowsky et al. `447 and von Blucher `418.

Lastly considering the rejection of a under 35 U.S.C. § 103 over Pacanowsky et al. `447 in view of Williams `387 and in further view of Woodson et al. `791, Pacanowsky et al. `447 and Williams `387 and the distinctions of the present invention, as recited in the amended claims, over Pacanowsky et al. `447 and Williams `387 and the combinations of Pacanowsky et al. `447 and Williams `387 was discussed in above and will not be discussed again in detail in the following.

Therefore considering the teachings of Woodson et al. `791 and the combinations of Pacanowsky et al. `447, Williams `387 and Woodson et al. `791, Woodson et al. `791 describes a sock having a storage area, between inner and outer layers of the sock, that is "locked" by means of an upward extension to the sock that folds down over at least the top of the storage area.

Woodson et al. '791 therefore relates to Pacanowsky et al. '447 and Williams '387 only in being a sock and only to the present invention in being a sock with a top piece that can be turned down. The extension of the innersock (3) above the top of the outersock (1), and thus the improved ability of the innersock (3) to wick off moisture, is not an aspect of the present invention that is claimed or that is recited in the claims--claim 63 is now canceled to expedite prosecution of the present Application by reducing the number of issues under consideration--and is relevant to Pacanowsky et al. '447 and Williams '387 only in being a sock.

It is respectfully submitted that the rejection at issue is now moot, and the Applicant respectfully requests that the Examiner reconsider and withdraw all rejections based on Woodson et al. '791. It is therefore the Applicant's belief and position that the presently claimed invention, is fully and patentably distinguished over the cited prior art under the requirements and provisions of 35 U.S.C. § 103. The Applicant accordingly respectfully requests that the Examiner reconsider and withdraw all rejections of the claims and the allowance of the claims as amended herein above.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Williams '38, Pacanowsky et al. '447, Tremblay-Lutter et al. '936, von Blucher '418 and/or Woodson et al. '791 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the

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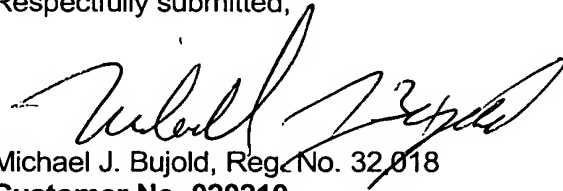
Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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